



3627

AMENDMENT TRANSMITTAL LETTER

Attorney Docket No:
SNY-P4352

Application Serial Number:
09/838,805

Filing Date:
4/20/2001

Examiner:
Bryan J. Jaketic

Art Unit:
3627

Invention: SUPER DISTRIBUTION OF MUSIC

TO THE COMMISSIONER FOR PATENTS:

Transmitted herewith is an amendment in the above-identified application. The fee has been calculated as shown below.

CLAIMS AS AMENDED

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	NO. OF EXTRA CLAIMS PRESENT	RATE	ADDITIONAL FEE
TOTAL CLAIMS	18	MINUS	37	0	\$18	\$0
INDEP. CLAIMS	5	MINUS	9	0	\$86	\$0

____ Petition is hereby made under 37 CFR 1.136(a) to extend the time for response to the Office Action of 2/18/2004 to and through _____, comprising an extension of the shortened statutory period of:

____ one month (\$110.00)

____ three months (\$950.00)

____ two months (\$420.00)

____ four months (\$1,480.00)

TOTAL ADDITIONAL FEE FOR THIS AMENDMENT

\$110.00

☒ A terminal disclaimer is enclosed along with fee payment by credit card.

____ A verified statement to establish small entity status under 37 CFR 1.9 and 1.27 is enclosed.

____ A check in the amount of \$_____ is attached.

☒ Charge any underpayment to Deposit Account 50-1267.

____ No additional fee is required.

4/7/2004

Date


Jerry A. Miller

Reg. No. 30779

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Jerry A. Miller

Reg. No. 30779



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Patent Application of:

Inventor(s) : David A. Hughes, et al.
Filed : April 20, 2001
Serial No. : 09/838,805
Confirmation No. : 3515
Group Art Unit : 3627
Examiner : Jaketic, Bryan J.
Docket Number : SNY-P4352
Title : Super Distribution of Music

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Commissioner for Patents
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JERRY A. MILLER Reg. No. 30,779
(Applicant, Assignee or Reg. Representative)

Signature

Date

[Handwritten Signature] 4/17/04

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING REJECTION OVER A
PRIOR PATENT**

The owner, Sony Corporation and Sony Music Entertainment Inc., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §154 and §173, as presently shortened by any terminal disclaimer, of prior Patent No. US 6,670,537 B2. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

04/14/2004 ZJU HAR1 00000078 09838805

01 FC:1814

110.00 OP

Serial Number: 09/838,805

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §154 and §173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. §1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.
2. ☒ The undersigned is an attorney or agent of record.

Signature: _____



Date: _____



Typed or printed name: Jerry A. Miller, Registration No. 30,779

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The terminal disclaimer fee under 37 CFR §1.20(d) is included herewith.

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